

CITY OF SHEBOYGAN

TWENTIETH REGULAR COMMON COUNCIL MEETING

Monday, January 18, 2021

ALDERPERSONS PRESENT: Mary Lynne Donohue (remote), Jim Bohren (remote), Ryan Sorenson, Markus Savaglio (remote), Dean Dekker, Rose Phillips (remote), Trey Mitchell (remote), Betty Ackley (remote), Barbara Felde (remote), Roberta Filicky-Peneski (remote) - 10 .

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES - 19 th Regular Council meeting held on January 4, 2021

MOTION TO APPROVE MINUTES Motion by Ryan Sorenson, second by Mary Lynne Donohue.
Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

1.4 MAYORAL APPOINTMENT - William Bulson to the Library Board. Lays over.

1.5 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. No one spoke.

1.6 PRESENTATION - State of the City Address by City Administrator Todd Wolf

1.7 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS, UPDATE ON COVID- 19

2. CONSENT

2.1 MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES

Resolution:

MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.2 R. O. No. 121 - 20 - 21 by City Clerk submitting various license applications (Alliant).

Resolution:

MOTION TO RECEIVE THE R. O. AND GRANT THE LICENSES Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.3 R. C. No. 221 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 86 - 20 - 21 by City Clerk submitting various license applications; recommends Taxicab Driver License Application No. 3387 (Shyan M. Lipp) be denied due to her record of violations related to the licensed activity and her history as a habitual law offender.

Resolution:

MOTION TO RECEIVE THE R. C. AND DENY THE LICENSE Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.4 R. C. No. 222 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 117 - 20 - 21 by City Clerk submitting various license applications; recommends granting the license applications with caveat.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS WITH CAVEAT Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.5 R. C. No. 223 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 120 - 20 - 21 by City Clerk submitting various license applications; recommends granting the license applications with caveat.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS WITH CAVEAT Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.6 R. C. No. 224 - 20 - 21 by Public Works Committee to whom was referred Res. No. 139 - 20 - 21 by Alderpersons Dekker and Sorenson waiving the increase of boat dock fees for City-owned dock spaces on the Sheboygan River for the 2021 season; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.7 R. C. No. 225 - 20 - 21 by Public Works Committee to whom was referred Res. No. 142 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by John Poth, Jr.; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.8 R. C. No. 226 - 20 - 21 by Public Works Committee to whom was referred Gen. Ord. No. 30 - 20 - 21 by Alderpersons Dekker and Sorenson creating a no parking zone on the east side of Riverfront Drive south of Pennsylvania Avenue; recommends adopting the Ordinance.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara

Felde, Roberta Filicky-Peneski - 10 .

3. REPORT OF OFFICERS

3.1 R. O. No. 122 - 20 - 21 by City Plan Commission to whom was referred Gen. Ord. No. 29 - 20 - 21 by Alderperson Donohue and R. O. No. 116 - 20 - 21 by City Clerk granting John Michael Kohler Arts Center, its successors and assigns, the privilege of encroaching upon described portions of the 600 block of New York Avenue in the City of Sheboygan for the purpose of adding a second entrance sign; recommends receiving the R. O. and adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. O. AND ADOPT THE ORDINANCE Motion by Jim Bohren, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

3.2 R. O. No. 123 - 20 - 21 by City Clerk submitting an amended Notice of Circumstances of Claim from Habush Habush & Rottier S.C. for alleged injuries that Austin Stiebs sustained on December 18, 2020. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 124 - 20 - 21 by City Clerk submitting a Summons and Complaint in the matter of UnitedOne Credit Union vs. Kathleen Repphun-Burss et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 125 - 20 - 21 by City Attorney submitting a recommendation that the City of Sheboygan continue to use Quarles and Brady as bond counsel. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.5 R. O. No. 126 - 20 - 21 by Fire Chief pursuant to section 50 - 564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing October 1, 2020 and ending December 31, 2020. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

3.6 R. O. No. 127 - 20 - 21 by Chief of Police Christopher Domagalski pursuant to section 54 - 65 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Police Department for the period commencing October 1, 2020 and ending December 31, 2020. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 144 - 20 - 21 by Alderpersons Donohue, Dekker, Felde, Ackley, and Savaglio condemning the rioting and destruction at the U.S. Capitol. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION Motion by Mary Lynne Donohue, second by Betty Ackley.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

4.2 Res. No. 145 - 20 - 21 by Alderpersons Ackley, Donohue, Bohren, Savaglio, Filicky-Peneski, Felde, Phillips, Sorenson, Mitchell, and Dekker commemorating the distinguished service of Lawrence Felten to the City of Sheboygan. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10.

4.3 Res. No. 146 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Site Lease Agreement between the Wisconsin Power and Light Company and the City of Sheboygan regarding a solar photovoltaic generating facility. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 147 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the Director of Planning and Development to execute a SAAS Services Agreement with Benevate Inc. for Neighborly Software. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 148 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the appropriate City officials to execute the Sheboygan County Dive Team Intergovernmental Cooperative Agreement between the City of Sheboygan and Sheboygan County. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.6 Res. No. 149 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the Purchasing Agent to issue a Purchase Order for the purchase of 24 ruggedized laptop computers and vehicle mounting hardware for the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.7 Res. No. 150 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into an Agreement with Sheboygan County Interfaith Organization for use of Fountain Park for the operation of a Summer Farmer's Market in 2021, 2022, 2023, 2024, and 2025. REFER TO PUBLIC WORKS COMMITTEE

5. REPORT OF COMMITTEES

5.1 R. C. No. 227 - 20 - 21 by Finance and Personnel Committee to whom was

referred Res. No. 141 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan, Lakeland University, and Kohler Credit Union regarding the 2021 Memorial Day parade; recommends to adopt the Resolution and amend the Agreement to replace Section 4 (h) with the following: Hold Harmless/Indemnification. To the extent permitted by law, Launch shall hold harmless, defend, and/or indemnify KCU and the City from any and all claims, actions, suits, charges, awards, fines, labor disputes, charges or costs of any kind or character including attorney's fees and court costs that arise, or may arise, out of Launch's performance or non-performance of any term, obligation, service, or condition as set forth in this Agreement. RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH THE AMENDED AGREEMENT

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH THE AMENDED AGREEMENT Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

5.2 R. C. No. 228 - 20 - 21 by Licensing, Hearings, and Public Safety Committee recommending that the Common Council grant Alcohol Beverage License No. 3461 - HCM Hospitality (Bar 43 at Harbor Centre Marina) (Matt Bauer, Agent) an extension until June 30, 2021 to open for business. RECEIVE THE R. C. AND GRANT THE EXTENSION

MOTION TO RECEIVE THE R. C. AND GRANT THE EXTENSION Motion by Ryan Sorenson, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

5.3 R. C. No. 229 - 20 - 21 by Public Works Committee to whom was referred Gen. Ord. No. 28 - 20 - 21 by Alderpersons Dekker and Sorenson re-establishing the bulkhead line along the north side of the Sheboygan River in the City of Sheboygan; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Dean Dekker, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

5.4 R. C. No. 230 - 20 - 21 by Public Works Committee to whom was referred Gen. Ord. No. 31 - 20 - 21 by Alderpersons Dekker and Sorenson amending section 74 - 42 of the Municipal Code to allow the waiver of park rental fees in certain circumstances; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Dean Dekker, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

6. GENERAL ORDINANCES

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 128 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

8. ADJOURN MEETING

8.1 Motion to Adjourn

MOTION TO ADJOURN at 7: 08 PM Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .